

REMARKS

I. Prosecution History

Claim 1-22 were originally presented for examination on December 12, 2002. A restriction requirement dated August 12, 2003 was issued. Applicant canceled claims 1-22 and added new claims 23-44 via a Preliminary Amendment dated September 12, 2003, which rendered to restriction requirement moot.

A first office action has been issued, dated November 13, 2003, for which the present amendment and response is being submitted. In the Official Action, Claims 23-26, 28,-29, 33-34, 36 and 38-41 stand rejected under 25 USC 102 as being anticipated by U.S. Patent No. 6,425,695 to Murata et al; Claim 32 stands rejected under 35 USC 102(e) as being anticipated by U.S. Patent No. 6,530,700 to Williams et al; and Claim 27, 30-31, 35, 37, 43-44 stand rejected under 35 USC 1039a) as being unpatentable over the Murata patent. In the present paper, Applicant amends claims 23, 26, 32-34, 38, and 43-44, and cancel claim 36. Claims 23-35 and 3744 remain pending in the case.

II. Rejection under 35 USC 102 under Murata (U.S. Patent No. 6,425,695)

Claim 23-26, 28-29, 33-34, 36 and 38-41 stand rejected under 25 USC 102 as being anticipated by U.S. Patent No. 6,425,695 to Murata et al. Examiner states that Murata discloses all the limitation of the claimed method of the claims. According to Examiner, Murata provides "an optical interface (10 comprising at least two optical components (14, 16) integrated into a common optical package." Murata, however, fails to teach that the optical components described therein are: "integrated into a common, encapsulated package" (Claim 23); overmolded "together with said multi-element leadframe using an encapsulant" (Claim 26); "optical interface further includes at least two photonic devices including at least one electro-optical device integrated using an encapsulant as a common optical package" (Claim 33); or "at least two electro-optical components commonly mounted on a multi-element leadframe and sealed using a common encapsulant" (Claim 34).

Applicant has amended independent claim 23, 26, 33, and 34 to include that the components are “electro-optical” components and to specify that the optical components are mounted and encapsulated, creating a common package similar to encapsulation used for laser diodes as explained in the detailed description. Murata’s components are not taught to be commonly held within encapsulation as taught by Applicant, nor would there be a desire to place Murata’s various components into a common encapsulated package. It can be appreciated by those skilled in the art that the components shown by Murata would heat up in encapsulation and fail.

Claim 36 has been canceled.

For the foregoing reasons, and given the amendments to the underlying independent claims subject to the rejection, the rejection of claims 23-26, 28-29, 33-34, and 38-41 is respectfully traversed. Applicant respectfully request reconsideration of these claims.

III. 35 USC 102 Rejection of claim 32 under Williams et al (U.S. Patent No. 6,530,700).

Claim 32 was rejected as being anticipated by Williams et al. Although Williams teaches communication between a CPU and display monitor using a photonic package, Williams et al does not teach “providing a photonic package containing within an encapsulant at least one Vertical Cavity Surface Emitting Laser (VCSEL) and at least one photodetector.” Applicant has amended claim 32 to best set forth its novelty of providing transmitting and receiving components (VCSEL, Photodetector) in a common, encapsulated packaged, similar to a laser diode as discussed in the specification.

For the foregoing reasons, and given the amendment to claim 32, the rejection of claims 32 is respectfully traversed. Applicant respectfully requests reconsideration of claim 32.

IV. Rejection of Claim 27, 30-32, 35, 37, and 43-44 under 35 USC 103

Claims 27, 30-31, 35, 37 and 43-44 stand rejected under 35 USC 103(a) as being unpatentable over Murata et al. The rejection is traversed.

For the same reasons indicated above with respect to the Murata 35 USC 102 rejections, Murata does not teach encapsulation of more than one optical component in a common package. Applicant claims optical components such as VCSELs, Photodetectors and lenses that are commonly mounted and encapsulated as a single component package.

Claim 27, and 30-31 ultimately depend from claim 26 which provides that the components are overmolded "together with said multi-element leadframe using an encapsulant." Murata does not teach or suggest this.

Claims 35 and 37 ultimately depend on claim 33 which claims that "optical interface further includes at least two photonic devices including at least one electro-optical device integrated using an encapsulant as a common optical package." Murata does not teach or suggest this.

Claim 44 ultimately depend on claim 43 which has been amended. Claim 43 provides that "at least two electro-optical devices mounted on a multi-element leadframe and overmolded with an encapsulant and thereby integrated within a common package and including an alignment means." Murata fails to teach or suggest this.

For the foregoing reasons, and given the amendments to the underlying independent claims subject to the rejection, the rejection of claims 27, 30-31, 35, 37 and 43-44 is respectfully traversed. Applicant respectfully request reconsideration of these claims.

V. Conclusion

Applicant submits this amendment of his application to clarify the subject matter being claimed. Full support for the amendments can be found throughout the original specification and claims as filed. No new subject matter has been introduced as a result of this amendment.

A one-month extension of time is submitted herewith together with the appropriate fee.

Examiner can contact the following representative if questions regarding this preliminary amendment should arise prior to examination.

Respectfully submitted for,

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